IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2742 OF 2004

Manjunath Vitthal Kamath @
Manjunath Balwant Kamat .. Petitioner

Versus

State of Maharashtra .. Respondent

Mr.P.L.Naik for petitioner

Ms.M.M.Deshmukh, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 14th September 2006.

P.C.

. Respondent No.2 is duly served.

2. From a perusal of the petition and the

annexures thereto it appears that the proceedings before the 43rd Court, Borivali, Mumbai were compounded as the parties to the cross complaint submitted compromise Purshis which were taken on record.

3. The complainant in the case CC-941/P/94 is one Raju Vasant Vengurlekar whereas CC-937/P/94 pending before the same Court, the complainant is one B.B.Kamath. The complainant in C.C.937/P/94 and the present applicant are brothers. Charge was under section 324 and 326 read with 114 I.P.C. in both complaints.

4. Ultimately, the matter has been compounded before the Court below. In such circumstances, the applicant need not have any apprehension with regard to the observations and findings at para 12. Incident and criminal charges arising out of the same not surviving any longer, so also the applicant being acquitted of

the charges, I do not see any prejudice being caused to the applicant by mere observations. The parties have compromised the entire matter. They have no grievance against each other. Therefore, such observations would not in any manner affect the applicant prejudicially. Any such apprehension is, therefore, not well founded. The application/petition is disposed of.

(S.C.Dharmadhikari, J)